

SENATE BILL NO. 2267

Introduced by

Senators Wanzek, Freborg, G. Nelson

Representatives Belter, Haas, Nelson

1 A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota
2 Century Code or in the alternative to create and enact a new section to chapter 15.1-18 of the
3 North Dakota Century Code, relating to teacher unavailability.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** If House Bill No. 1045 does not become effective, a new section to
6 chapter 15-41 of the North Dakota Century Code is created and enacted as follows:

7 **Teacher unavailability - Assistance by qualified individuals.**

- 8 1. Notwithstanding the provisions of any other law, if a school district is unable to
9 employ as a high school teacher an individual who meets the requirements of
10 section 15-41-25, the school district may contract with an individual for the
11 provision of teaching services in a particular course area or field if the individual
12 holds a graduate degree in the course area or field to be taught and has at least
13 ten years' work experience in the course area or field to be taught.
- 14 2. An individual employed under this section has the same legal authority and status
15 as a licensed teacher employed by the district.
- 16 3. The employment of an individual under this section does not affect the
17 accreditation or approval status of the school in which the individual teaches.
- 18 4. For purposes of this section, the board of a school district is deemed to have been
19 unable to employ a qualified teacher if:
- 20 a. The board put forth a good-faith effort to recruit and retain a qualified licensed
21 teacher for the position before the beginning of the most recent school year;
22 and
- 23 b. The board was unable to find a qualified licensed teacher willing to accept the
24 position.

1 **SECTION 2.** A new section to chapter 15.1-18 of the North Dakota Century Code is
2 created and enacted as follows:

3 **Teacher unavailability - Assistance by qualified individuals.**

- 4 1. Notwithstanding the provisions of any other law, if a school district is unable to
5 employ as a high school teacher an individual who meets the requirements of
6 section 15.1-18-03, the school district may contract with an individual for the
7 provision of teaching services in a particular course area or field if the individual
8 holds a graduate degree in the course area or field to be taught and has at least
9 ten years' work experience in the course area or field to be taught.
- 10 2. An individual employed under this section has the same legal authority and status
11 as a licensed teacher employed by the district.
- 12 3. The employment of an individual under this section does not affect the
13 accreditation or approval status of the school in which the individual teaches.
- 14 4. For purposes of this section, the board of a school district is deemed to have been
15 unable to employ a qualified teacher if:
- 16 a. The board put forth a good-faith effort to recruit and retain a qualified licensed
17 teacher for the position before the beginning of the most recent school year;
18 and
- 19 b. The board was unable to find a qualified licensed teacher willing to accept the
20 position.